

COUNTY OF LOUDOUN
DEPARTMENT OF PLANNING
MEMORANDUM

**SUPPLEMENTAL
INFORMATION**

DATE: June 4, 2010

TO: Loudoun County Board of Supervisors

FROM: Stephen Gardner , Project Manager
Julie Pastor, Director

SUBJECT: **June 7, 2010 Board of Supervisors Public Hearing –
T Mobile Beaumeade; CMPT 2007-0011 & SPEX 2007-0009**

As an update to the June 7, 2010 Staff Report, the Conditions of Approval, now dated June 7, 2010, have been revised to reflect a review by the County Attorney's Office to clarify the language and are attached for reference. The Applicant has reviewed and is in agreement with the proposed Conditions of Approval.

RECOMMENDATION

Planning Commission

At the May 19, 2010 Work Session, the Planning Commission voted 8-0-1 (Ronis – absent) to approve the Commission Permit application subject to the Plat dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services, with the attached Findings, and forward the application to the Board of Supervisors for ratification. As part of the same motion, the Planning Commission voted 8-0-1 (Ronis – absent) to forward the Special Exception to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated May 12, 2010, and with the attached Findings for Approval.

Staff

Staff recommends approval of these applications, subject to Conditions of Approval, dated June 7, 2010, and with the attached Findings.

MOTION

1. I move that the Board of Supervisors forward CMPT 2007-0011 & SPEX 2007-0009, T Mobile Beaumeade, to the July 7, 2010 Business Meeting for action. *(A timeline extension from the Applicant will be necessary.)*

OR,

2a. I move that the Board of Supervisors suspend the rules.

AND,

2b. I move that the Board of Supervisors ratify the Planning Commission approval of CMPT 2007-0011, T Mobile Beaumeade, consistent with the "T Mobile Northeast LLC BEAUMEADE SUBSTATION" Plat dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services, and based on the attached Findings for Approval.

AND,

2c. I move that the Board of Supervisors approve SPEX 2007-0009, T Mobile Beaumeade, subject to the Conditions of Approval dated June 7, 2010 and based on the attached Findings for Approval.

OR,

3. I move an alternate motion.

ATTACHMENTS

1. Conditions of Approval; dated June 7, 2010
2. Conditions of Approval (Comparison Version); dated June 7, 2010
3. Findings for Approval; dated June 9, 2008

SPEX 2007-0009 CONDITIONS OF APPROVAL – June 7, 2010

1. **Substantial Conformance** – The development of the Special Exception use, a telecommunications monopole with an additional 8-foot lightning rod and associated equipment shelters in the PD-IP (Planned Development – Industrial Park) zoning district, shall be in substantial conformance with Sheets T-1, C-1, and C-2 (the "Special Exception Plat") of the plan set entitled "T Mobile Northeast LLC BEAUMEADE SUBSTATION" dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services (the "Plans"), and incorporated herein by reference, and the 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map Number /80//13/////C/ (PIN# 060-30-2345) (the "Property") shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Lighting** – No permanent outdoor lighting shall be permitted within the Special Exception Area as shown on the Special Exception Plat, unless otherwise directed by the County, Federal Aviation Administration, Federal Communications Commission, State or Federal Authorities.
3. **Removal of Equipment** – The Applicant or its successors shall remove all unused related telecommunications facilities, including the monopole, and ground equipment from the site, within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.
4. **Design** - The Applicant shall design, construct, and maintain the monopole facility in substantial conformance with the "TOWER ELEVATION" and "COMPOUND DETAIL" profiles depicted on Sheet C-2 of the Special Exception Plat. The monopole shall employ a light grey color scheme, similar to that used in the adjoining VEPCO/Dominion Power electrical substation unless otherwise directed by the Federal Aviation Administration or Federal Communications Commission. All antennae arrays and associated telecommunications equipment shall also employ a light grey color scheme, consistent with that used for the monopole.
5. **Landscaping** – At the time of site plan review, the Applicant shall demonstrate that a Type 4 landscape buffer exists in accordance with the requirements of the 1993 Loudoun County Zoning Ordinance. If the required buffer does not exist, it must be provided prior to site plan approval. In addition to landscaping required by the 1993 Loudoun County Zoning Ordinance, the following enhancements to landscaping shall be made:
 - i. Twelve (12) evergreen trees shall be planted along the eastern perimeter of the existing access driveway in an area consistent with that depicted on Sheets C-1 and C-2 of the Plans; and
 - ii. Four (4) evergreen trees and two (2) canopy trees shall be planted adjacent to the northwest perimeter of the Special Exception Area in an area consistent with that depicted on Sheets C-1 and C-2 of the Plans.

All new plantings shall be a minimum of six feet (6') in height at the time of planting. All landscaping shall be maintained in good condition, and any diseased or dying trees shall be identified, removed and replaced in coordination with the County Urban Forester.

6. **Dedication of Right-of-Way** – The owner of the Property shall dedicate to the County, at no public cost, right-of-way, thirty-five (35) feet from the ultimate centerline, to accommodate the future widening of Smith Switch Road (Route 607). Such right-of-way dedication plat and deed shall be submitted to the County for review and approval, and shall be recorded by the Applicant or Owner, prior to site plan approval of the telecommunications monopole. Neither the property owner nor the Applicant shall receive compensation for the said dedication.
7. **Metropolitan Washington Airports Authority (MWAA) Notification** – Since the site is located less than five (5) miles from Dulles International Airport, the Applicant shall provide verification to the County that the Metropolitan Washington Airports Authority (MWAA) has been notified in writing of the proposed construction of the monopole. Such written verification from MWAA shall be provided prior to first site plan approval.

SPEX 2007-0009 CONDITIONS OF APPROVAL – May June 12 7, 2010

1. **Substantial Conformance** – ~~This~~ The development of the Special Exception use, to permit development of a telecommunications monopole with an additional 8-foot lightning rod and associated equipment shelters in the PD-IP (Planned Development – Industrial Park) zoning district, shall be ~~developed~~ in substantial conformance with Sheets T-1, C-1, and C-2 (the “Special Exception Plat”) of the plan set entitled “T Mobile Northeast LLC BEAUMEADE SUBSTATION” dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services (the “Plans”), and incorporated herein by reference, and the 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map Number /80//13/////C/ (PIN# 060-30-2345) (the “Property”) shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Lighting** – No permanent outdoor lighting shall be permitted ~~on the facility~~ within the Special Exception Area as shown on the Special Exception Plat, unless otherwise directed by the County, Federal Aviation Administration, Federal Communications Commission, State or Federal Authorities.
3. **Removal of Equipment** – The Applicant or its successors shall remove all unused related telecommunications facilities, including the monopole, and ground equipment from the site, within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.
4. **Design** - The Applicant shall design, construct, and maintain the monopole facility in substantial conformance with the "TOWER ELEVATION" and "COMPOUND DETAIL" profiles depicted on Sheet C-2 of the ~~Plans~~ Special Exception Plat. The monopoles shall ~~include~~ employ a light grey color scheme, similar to that used in the adjoining VEPCO/Dominion Power electrical substation unless otherwise directed by the Federal Aviation Administration or Federal Communications Commission. All antennae arrays and associated telecommunications equipment shall also ~~include~~ employ a light grey color scheme, consistent with that used for the monopole.
5. **Landscaping** – At the time of site plan review, the Applicant shall demonstrate that a Type 4 landscape buffer exists ~~as required by~~ in accordance with the requirements of the 1993 Loudoun County Zoning Ordinance. If the required buffer does not exist, it must be provided prior to site plan approval. In addition to landscaping required by the 1993 Loudoun County Zoning Ordinance, the following enhancements to landscaping shall be made:
 - i. Twelve (12) evergreens ~~trees~~ shall be planted along the eastern perimeter of the existing access driveway in an area consistent with that depicted on Sheets C-1 and C-2 of the Plans; and
 - ii. Four (4) evergreen trees and two (2) canopy trees shall be planted adjacent to the northwest perimeter of the ~~compound~~ Special Exception Area in an area consistent with that depicted on Sheets C-1 and C-2 of the Plans.

All new plantings shall be a minimum of six-feet (6') in height at the time of planting. All landscaping shall be maintained in good condition, and any diseased or dying trees shall be identified, removed and replaced in coordination with the County Urban Forester ~~prior to site plan approval.~~

6. **Dedication of Right-of-Way** – The owner of the Property shall dedicate to the County, at no public cost, right-of-way, thirty-five (35) feet from the ultimate centerline, to accommodate the future widening of Smith Switch Road (Route 607). Such right-of-way dedication plat and deed shall be submitted to the County for review, and approval, and shall be recorded by the Applicant or Owner, ~~recording~~ prior to site plan approval of the telecommunications monopole. Neither the property owner nor the Applicant shall receive compensation for the ~~afore-mentioned right-of-way~~ said dedication.
7. **Metropolitan Washington Airports Authority (MWAA) Notification** – Since the site is located less than five (5) miles from Dulles International Airport, the Applicant shall provide verification to the County that the Metropolitan Washington Airports Authority (MWAA) has been notified in writing of the proposed construction of the monopole. Such written ~~certification~~ verification from MWAA shall be provided prior to first site plan approval.

FINDINGS FOR APPROVAL

1. Though existing tall structures (i.e. VEPCO/Dominion Power transmission line towers lining the W&OD Trail) are located proximate to the proposed site, the locating of individual telecommunications facilities and associated ground equipment on individual towers will result in a visual impact along the W&OD Trail that is greater than the visual impact of concentrating the same equipment on a single tower in one location.
2. The proposed telecommunications monopole will be located on a site, adjoining an existing VEPCO/Dominion Power electrical substation, consistent with the industrial character of the area.
3. The proposed site, proximate to the Beaumeade Corporate Park on a parcel currently zoned PD-IP (Planned Development – Industrial Park), is consistent with the policy guidance of the Strategic Land Use Plan for Telecommunication Facilities which states a preferred location for commercial public telecommunication facilities is within planned and zoned industrial and employment areas.
4. As an unmanned facility, the proposed telecommunication monopole will not directly impact area roads and the surrounding transportation network.